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SUMMARY RECORD OF THE 29th MEETING

Held at the Palais des Nations, Geneva,
on Tuesday, 13 April 1999, at 10 a.m.

Chairperson: Ms. ANDERSON (Ireland)

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1. Ms. SANJUR PALACIOS (Committee for the Defence of Human Rights in Central America - CODEHUCA) said that the shortcomings of the judicial system in Central America were reflected in a worsening of violations of prisoners' rights and ongoing impunity.

2. In Guatemala, poor administration of justice was characterized by a lack of independence for the judiciary and general inefficiency, as shown by the absence of a thorough inquiry into the assassination of Cardinal Gerardi. In El Salvador, the situation had led to a lack of training for magistrates. It had proved difficult to establish liability in 926 cases of human rights violations committed during the armed conflict. In Honduras, the judicial machinery had become politicized and was therefore not independent. As well as corruption, influence-peddling and political pressure were a constraint on the judiciary and impaired its autonomy.

3. The situation in prisons had deteriorated greatly. Apart from the deplorable conditions, the percentage of persons detained without trial was particularly high in most of the countries of the region. Pre-trial detention was in fact the norm. In addition, penal legislation was out of date and did not comply with international human rights instruments.

4. CODEHUCA therefore urged that measures should be taken to modernize the judiciary and guarantee its independence and smooth operation, in order to ensure the independence of judges and shed some light on the cases currently being heard in Guatemala, Honduras and El Salvador, with a view to eliminating impunity. Central American States must also implement all the United Nations standard minimum rules for the treatment of prisoners and modify their

penal system accordingly. CODEHUCA also urged all countries to support the draft optional Protocol to the Convention against Torture, intended to establish a preventive system of regular visits to places of detention.

5. Forced disappearances and summary executions continued in those countries despite the signing of peace agreements and the establishment of the rule of law. In Guatemala, 33 cases of extrajudicial executions had been recorded in the year to date. In El Salvador, nothing had been done to determine the fate of the victims of forced disappearances. In Honduras, the impunity enjoyed by the perpetrators of such violations was enhanced by court decisions allowing some of them to avoid any sentence whatsoever. CODEHUCA therefore requested the Commission to ask the Governments of the region to take effective judicial, legislative and administrative steps to determine the fate of the disappeared and compensate the victims and their families, in accordance with the Declaration on the Protection of All Persons from Enforced Disappearance, and to put a stop to summary executions and bring the perpetrators of such acts to justice.

6. Ms. FRANCIS SCOTT (General Board of Church and Society of the United Methodist Church) said that the identity and spiritual and social life of the Dineh people, who lived in a remote region of Arizona, were inseparably bound to the land. She welcomed the fact that the Special Rapporteur's report on his visit to the United States (E/CN.4/1999/58/Add.1) heeded the pleas of indigenous peoples. The Special Rapporteur was right to point out that the case law of the United States Supreme Court gave the impression that there were "no enforceable safeguards for worship at sacred sites", but it was important to add that Dineh sacred sites were an integral part of their homes and their livelihood. To date, more than 12,000 Dineh had been relocated, plucked away from their land, which they held sacred, and which was therefore violated by mining. The Navajo resettlement programme instituted by the United States Government deprived the Dineh people of ancestral lands and their inherent property rights as well as their sacred places. The unsustainable environmental practices of multinational corporations constituted a form of racism against them, yet the Native American Grave Protection and Repatriation Act was still not enforced.

7. The United States Government must recognize that no territorial settlement should deprive indigenous peoples of the right to remain on their traditional land or practise their religion there. Dineh land was sacred and the United States Government could not subordinate the survival of a people to economic interests that did not benefit that people. The Dineh wished to continue to manage the bounty of their land for themselves and for their children and, like any other people, wanted a good education and a more tolerant world for their children.

8. Mr. BAUTISTA (General Board of Church and Society of the United Methodist Church), continuing the statement, drew the Commission's attention to the fact that the Special Rapporteur described the Dineh as a "small religious minority" within the majority, a reference that might serve to further marginalize the Dineh.

9. His organization continued to support the strengthening of the mandate of the Special Rapporteur on religious intolerance and requested the Commission to extend its investigation of religious intolerance in the United States. It also supported the recommendation by the Special

Rapporteur that his title should be changed to Special Rapporteur on Freedom of Religion or Belief and endorsed the call made by other NGOs for the appointment of a special rapporteur on indigenous human rights.

10. Ms. MANN (Liberation) expressed her organization's concern at the persistent abuses of civil and political rights around the world. Torture and arbitrary detention remained endemic in many countries, such as Yemen, India, Indonesia and East Timor, Pakistan, Turkey, Sri Lanka, Iraq and Bangladesh, in violation of the International Covenant on Civil and Political Rights.

11. With regard to Indonesia, Liberation called for the immediate and unconditional release of the 100 or so remaining political prisoners. She expressed concern at the escalating violence in East Timor perpetrated by the Indonesian military-backed civilian militias. While human rights violations continued, there could be no peaceful solution, and Liberation called on the Government of Indonesia to put an end to such violations and fulfil its promise to resolve the issue peacefully.

12. In Sri Lanka, there had been widespread disappearances of civilians in army-held parts of the north and east of the country. Three mass graves had been discovered in Jaffna province alone, but the Government was hindering the investigations and had rejected calls by the United Nations and Amnesty International to be allowed to observe the exhumations of the bodies and their identification, thereby lending weight to accusations that the military had already burnt the bodies.

13. With regard to Turkey, she condemned the recent wave of detentions of members and supporters of the opposition HADEP party, including a member of Parliament, Leyla Zana. The right to a defence in Turkey was regularly violated. In the Punjab, in India, many people had disappeared or had been summarily executed by the police. The fate of Hajit Singh was still unknown, and Liberation was also concerned for the safety of Jasper Singh Dillon, a human rights activist instrumental in obtaining prosecutions of the Punjab police, who had been in detention for eight months. In Yemen, the Government had recently presented a bill to outlaw demonstrations and thousands of people had been arrested during peaceful demonstrations in 1998 in various regions of the country. After the peace process in Bangladesh, many people were still in prison and Liberation believed that their prolonged detention was a violation of international human rights law.

14. Lastly, Liberation called on the Commission to continue to examine the situation in those countries and to take appropriate measures to safeguard the human rights of their peoples.

15. Ms. HECTOR (Lawyers Committee for Human Rights) said that her organization was deeply concerned by the fact that lawyers who worked to promote human rights, represented victims of human rights abuses or defended politically unpopular causes, were in practice subjected to harassment, threats and violence. She referred in particular to the case of Rosemary Nelson, a leading human rights lawyer who had been murdered on 15 March 1999 after having received several death threats not only from paramilitary organizations operating in Northern Ireland but also from officers of the Royal Ulster Constabulary. As had been

requested in the case of the murder of Pat Finucane, another human rights lawyer from Northern Ireland, killed in 1989, an independent inquiry - independent in particular from the Royal Ulster Constabulary - should be conducted.

16. Lawyers frequently suffered reprisals at the hands of the judiciary. In Turkey, for example, 25 lawyers from Diyarbakir were still facing criminal charges for having represented unpopular clients and supported local human rights organizations. A number of them had been tortured during pre-trial detention. In Malaysia, Mr. Zainur Zakaria, an attorney representing former Deputy Prime Minister Anwar Ibrahim, had recently been sentenced to three months' imprisonment for "contempt of court" because he had alleged that the prosecutors had fabricated evidence against his client and because he had refused to apologize when asked to do so by the judge. Such an attack by the judiciary on the bar had been made possible by a steady erosion of judicial independence in Malaysia in recent years. In that regard, she looked forward to hearing the advisory opinion of the International Court of Justice on the immunity of Mr. Cumaraswamy, Special Rapporteur on the independence of judges and lawyers. In Belarus, Ms. Stremkovskaya had been given a stern reprimand for defending two dissidents in and making public comments on their cases. The government-controlled bar association had threatened to revoke her licence.

17. Such examples illustrated the combination of administrative and legal mechanisms and physical abuse to which States resorted in retaliation against lawyers who challenged official interests. The effects of such measures were felt by the clients, who were often themselves victims of abuses. She recalled that, in accordance with the Basic Principles on the Role of Lawyers, lawyers had a right to promote and protect human rights. In conclusion, she called upon the Commission on Human Rights to strongly condemn retaliatory sanctions against human rights lawyers and to highlight and reinforce the crucial role lawyers played in upholding universally recognized human rights standards.

18. Mr. BLOCH (Consultative Council of Jewish Organizations), commenting on the report submitted by Mr. Amor on religious intolerance (E/CN.4/1999/58 and Add.1 and 2) asked whether it would not be better to replace the word "tolerance" by the word "acceptance". "Tolerance" was not an appropriate word to apply to the attitude of a person, a religion or a State towards another person or religion, since it had pejorative connotations. Being tolerated, had overtones of being considered inferior or harmful. From a human rights perspective, it was not a matter of tolerating but accepting.

19. Religious intolerance should be seen simply as a violation of human rights and therefore of the provisions of article 18 of the Universal Declaration of Human Rights. Some thought needed to be given, however, to the idea of proselytism, which was not covered by article 18. Proselytism could in some cases amount to a violation of human rights.

20. Generally speaking, the real problem of human rights lay in their implementation. All States Members of the United Nations should therefore be strongly urged to incorporate the principle of acceptance of different religions and cultures into their domestic legislation, even if a country claimed to be built on a dominant culture or religion. In the longer term, it might be necessary to consider allowing an individual to appeal directly to an international court if he believed that the Universal Declaration of Human Rights had been violated.

21. Ms. AGDAS (Women's International Democratic Federation) said that, contrary to the statement of the Special Rapporteur on Torture in his report (E/CN.4/1999/61/Add.1), torture was widespread throughout Turkish-occupied Kurdistan, which had been under a state of emergency since 1978. Turkey's Constitution denied the existence of the 20 million Kurds living in the country and conducting armed resistance against the State's policy of extermination. All opponents were prosecuted and torture was systematically practised in the army and police stations and in prisons. Between 1980 and 1998, 546 people had been killed while in police custody or in prison. Torturers were not merely protected but hailed as national heroes and those mainly responsible for such criminal behaviour enjoyed complete impunity.

22. The ill-treatment to which Mr. Abdullah Ocalan had been subjected, the heavy sentence imposed on the Turkish sociologist Ismail Besikçi, and the sentencing of the Kurdish former member of Parliament Leyla Zana and three of her fellow parliamentarians to 15 years' imprisonment for defending Kurdish cultural rights, were examples of the persecution undergone by those who opposed the Turkish State. In Turkey and Kurdistan, 560 cases of disappearance had been registered since 1991, most of the disappeared being of Kurdish origin. As the Working Group on Enforced or Involuntary Disappearances noted in its report (E/CN.4/1999/62/Add.2), "without a solution to this chronic and persistent problem it is difficult to expect any comprehensive and lasting improvement in the human rights situation in Turkey".

23. Ms. TANGGAHMA (Survival International) drew the Commission's attention to the issue of the civil and political rights of the indigenous people of the Indonesian province of West Papua (Irian Jaya). Since President Habibie had come to power, no concrete steps, apart from some apologies, had been taken towards justice and compensation for the victims of human rights violations. In fact, the new regime had created new victims and the same laws as had been used under the Suharto regime were being applied to opponents. A series of pro-independent movement demonstrations held in 1998 throughout West Papua had been brutally put down by the army and a large number of demonstrators had been killed.

24. The Indonesian authorities were spreading fear and frustration in the minds of the people of the region in order to incite riots and to delay the national dialogue that was supposed to have been established between the people and President Habibie, which in turn would delay any implementation of the right to self-determination of the West Papua people. The Indonesian Government had entered into an understanding with the Office of the High Commissioner for Human Rights (OHCHR), which gave some cause for hope. Survival International therefore requested, through the Commission, that independent United Nations bodies should thoroughly investigate cases of arbitrary detention and other violations of civil and political rights, past and present, committed in West Papua. The international community should put pressure on the Indonesian Government to ensure that the freedom of expression was respected throughout the process of national dialogue. It was of the utmost importance that the West Papuan people should be able to exercise their fundamental right to choose their own future freely, without fear or intimidation from the Indonesian Government or army.

25. Mr. MORA SECADE (Centre for European Studies), referring to the report of the Working Group on Enforced or Involuntary Disappearances (E/CN.4/1999/62), said that States had a duty under a number of international instruments, particularly the Declaration on the Protection of All Persons from Enforced Disappearance, to investigate enforced disappearances,

which were an extremely serious form of human rights violation. The impunity enjoyed by the perpetrators, who were confident of being officially protected, encouraged such violations. Impunity was sometimes guaranteed by legal or other provisions that absolved officials or agents of the State of their responsibilities and protected them from legal proceedings. That was what happened when Amnesty Acts were passed in the name of national reconciliation.

26. The draft international convention on the protection of all persons from forced disappearance, which was the result of joint efforts by many participants, was very interesting in that regard. The Centre for European Studies strongly endorsed the contributions made to the draft convention by the American Association of Jurists, which described the serious situation that the impunity of the authorities or paramilitary groups created in Latin America. The adoption of an instrument that defined forced disappearances as crimes against humanity and obliged States to take action against those directly or indirectly responsible would represent a significant step forward in efforts to combat the impunity of the perpetrators of human rights violations throughout the world.

27. The Centre for European Studies believed, therefore, that the issue was one of the highest priority and requested that the text of the draft convention should be presented to Governments, NGOs and United Nations bodies so that they could formulate comments relatively soon, for consideration by the Working Group, which should be provided with the necessary resources for the purpose. The Commission would then be able to move on without delay towards the final draft.

28. Ms. GOMEZ PEREAÑEZ (Agir ensemble) said she was a Colombian former member of Parliament for the Patriotic Union in the department of Antioquia, Colombia. Now in exile following threats and assassination attempts, she had represented the Indian Movement "Tupaj Amaru" to the Commission on Human Rights in 1998. She denied that she was a member of any terrorist or rebel movement, despite the claims of the Colombian Government, which always dealt in that way with Colombians who defended human rights, in order to justify their exile, imprisonment or murder at the hands of paramilitary groups in league with the State armed forces.

29. She drew attention to the appalling situation of political prisoners in Colombian prisons: they were crowded into cells, given unfair trials, murdered or sentenced to prison terms as long as 60 years. The Colombian Government sought thereby to put down the protests of workers and peasants who demanded respect for life and human rights. Moreover, according to rather worrying information, a number of massacres had taken place of peasants in peaceful communities that had declared neutrality.

30. The same methods were used in Mexico: creation of paramilitary groups, selective murder or extermination of civil and popular leaders of indigenous or peasant communities. Her organization requested the Commission to continue to monitor the situation in Colombia and Mexico and to request the implementation of the Special Rapporteurs' recommendations.

31. Ms. OLGUIN (International Indian Treaty Council), speaking on the question of torture and detention, raised the case of Leonard Peltier, a political prisoner in the United States unjustly convicted for defending his people, on the basis of false evidence. Recalling that the

International Indian Treaty Council had a communication concerning the case pending before the Working Group on Arbitrary Detention, she urged the Working Group to arrange to meet Mr. Peltier in prison. She also called upon the United States to extend its full cooperation to Ms. Danielle Mitterrand, of France Liberté, on her planned visit to Mr. Peltier and Mr. Abu Jamal, another internationally recognized political prisoner.

32. With regard to agenda item 11 (e), she drew attention to the denial of the right of the indigenous peoples of the United States to religious freedom, and particularly the urgent human rights situation at Big Mountain (Arizona). She thanked the Special Rapporteur on Religious Intolerance for his efforts to assess the extent of the denial of religious freedom, and expressed deep concern at his report of obstacles being placed in his way, for the first time since his appointment, in an attempt to have his mission put off (E/CN.4/1999/58/Add.1, para. 5). She asked the Commission to make a thorough investigation of the causes and impact of those incidents.

33. Mr. WATCHMAN (International Indian Treaty Council), speaking as spokesperson for the Dineh (Navajo) community of Big Mountain and plaintiff in the case of Jenny Manybeads v. United States of America, concerning the forced relocation of the Dineh, said that the Special Rapporteur, Mr. Amor, had confirmed in his report that United States law and the court system remained blind to the Dineh's rights to practise their religion and attached greater importance to the economic interests of big business. The Dineh wished to be able to protect their sacred sites and to practise their traditional religion as they had always done. Referring to paragraph 83 of Mr. Amor's report, he requested the Commission on Human Rights to appoint a special rapporteur on indigenous human rights who could closely monitor the critical situation indigenous peoples were facing.

34. Mr. BEN MARZOUK (Organisation tunisienne des jeunes médecins sans frontières - JMSF) said that the right to information was a fundamental right that the State should guarantee to every citizen, especially if the information was held by a public authority. Freedom of the press was essential for the circulation of information, but it entailed responsibilities and obligations. When the freedom of the press was non-existent or restricted, the authorities could overreact, sparking confrontation or even a climate of unrest.

35. JMSF had done everything possible to develop listening, information, education and orientation services for those in difficulty. Adopting a "think globally, act locally" approach, the young doctors in the organization made every effort to detect situations that gave rise to marginalization and social conflict. They gave assistance and care, but also sounded warnings and made reports. They were volunteers who committed themselves every day by helping persons in distress and combating disease, insecurity, poverty, social exclusion, discrimination and xenophobia. They were constantly vigilant in order to ensure respect for the right to life and human dignity. In addition, all health workers were making efforts to adhere more closely to the principles of neutrality and independence in order to protect the physical and mental integrity of the victims of violence. At the same time, they had to assist the course of justice with their expertise, impartiality and openness.

36. The organizations of civil society had a fundamental role to play in building a culture of peace and tolerance and should commit themselves to combating systematic violations of civil

and political rights, and the fanaticism and extremism that threatened social cohesion and national solidarity. JMSF called on the charitable organizations of the North and the South to enhance cooperation, exchange, mutual help and communication, in order to heal all divisions. JMSF hoped that NGOs around the world would organize themselves much more tightly and efficiently in order to perform the role that was being given to them at the dawn of the new millennium.

37. Ms. CERVANTES (Organization for the Solidarity of the Peoples of Asia, Africa and Latin America - OSPAAL) said she approved of the suggestion made by the Special Rapporteur on Religious Intolerance, Mr. Amor, in paragraph 7 of his report (E/CN.4/1999/58), to the effect that a strategy to prevent intolerance and discrimination should be devised and the emphasis be placed on the important role education could play in the establishment of a culture of tolerance and respect for human rights. OSPAAL also supported the comment made by the Rapporteur in the conclusions and recommendations, that the restrictions imposed on freedom of religion and belief, as defined in international instruments, should be explicitly set by national legislation.

38. With regard to freedom of expression, it was clear that the enjoyment of that right was a function of the technological media available in any given country and of the social, political and economic problems the country faced. Southern countries were thus at a disadvantage in that regard, particularly if they were subjected to Western standards, which were considered - implicitly but shockingly - "superior" by the Special Rapporteur on the question, Mr. Abid Hussain, in paragraph 64 of the report on his mission to Hungary (E/CN.4/1999/64/Add.2). OSPAAL took the view that the dissemination of false or falsified information was a violation of every person's right to be informed objectively and was unfortunately all too common a practice in major communications media that claimed to be independent.

39. Lastly, with regard to the right to restitution, compensation and rehabilitation for victims of grave violations of human rights and fundamental freedoms, OSPAAL noted that the violations mentioned in paragraph 16 of the report of the independent expert, Mr. Cherif Bassiouni (E/CN.4/1999/65) displayed the traditional imbalance between economic, social and cultural rights and civil and political rights, in favour of civil and political rights. OSPAAL was also concerned that the expression "serious", frequently used to describe such violations, could be ambiguous and exclusive. Nevertheless, OSPAAL approved the independent expert's idea that the guidelines to be prepared on the subject should reflect the various legal cultures and traditions of the world, in order to obtain broad international support.

40. Mr. ANWAR (World Federation of Democratic Youth - WFDY) said he wished once again to bring to the attention of the Commission a series of systematic gross violations of human rights and fundamental freedoms perpetrated by Pakistani law enforcement agents in towns in Sind province, including Karachi, primarily against members or sympathizers of the Mohajir movement (MQM). The violations had escalated since Mr. Nawaz Sharif had come to power, in total disregard of the Pakistani Constitution, the Charter of the United Nations and international human rights instruments. The Government had devised a strategy of provoking disorder in Mohajir areas, using terrorist groups such as the Haqiqi group, in order to justify its undemocratic and unconstitutional actions. It had also suspended the democratically elected Sind Provincial Assembly and given sweeping powers to military tribunals, which administered

summary and arbitrary justice. In her report (E/CN.4/1999/39/Add.1), Ms. Asma Jahangir, Special Rapporteur on Extrajudicial, Summary or Arbitrary Executions, documented a number of violations of the right to life, which continued to be perpetrated by the police and terrorist groups acting with the support of the Government, most of whose victims were members of political parties such as MQM.

41. In order to alleviate the suffering of the Mohajirs in Pakistan, WFDY called on the Commission on Human Rights to adopt a resolution on the human rights situation in Pakistan and appoint a special rapporteur on that question. It also requested the Pakistani Government to take concrete measures to implement the recommendations made by the Special Rapporteur on Torture following his mission to Pakistan in 1996, to investigate the crimes against humanity committed in Sind province and bring their perpetrators to justice, to compensate the victims of the genocide in accordance with international law and to guarantee the Mohajir nation the enjoyment of their fundamental and constitutional rights.

42. Mr. RODLEY (Special Rapporteur on Torture), presenting his conclusions, informed the representatives of Venezuela, Argentina and Mexico, who had criticized his report for failing to include information communicated by their Governments on measures taken to implement his recommendations, particularly in the context of visits to those countries, that, as he had already explained, the failure had been due to a lack of necessary resources. He would rectify the situation in his report to the fifty-sixth session of the Commission.

43. He reminded the Algerian delegation that all the information on Algeria in his report represented summaries of allegations received from various NGOs of proven reliability and that his own views were reflected in the observations in paragraph 41. There he stated clearly, having cited the concluding observations of the Human Rights Committee, that there was substantial justification for the visit to Algeria that had still not been authorized. The Algerian delegation's statement, regrettably, confirmed him in his view.

44. He said he was also disappointed at the Turkish delegation's comments regarding his report on his visit to Turkey, which relied heavily on a paragraph in which he stated that "Many non-governmental sources, and also some authorities, stated that torture has a social basis". That was in fact a point that could explain the Government's difficulties in improving the situation. He therefore found it regrettable that the report should have been comprehensively dismissed on the basis of a misreading of a relatively insignificant comment. He nevertheless hoped that, on mature reflection, the Turkish authorities would not continue to deny what remained a grave problem. In particular, he urged them to study carefully the recommendations he had made, which, if implemented, would go a long way towards eliminating the problem and protecting the Turkish security forces from baseless allegations.

45. Mr. AMOR (Special Rapporteur on Religious Intolerance) noted that the term "intolerance" had been felt by some to be unacceptable and that a suggestion had been made to replace it by "acceptance". He believed it would be better to talk of the right to respect for differences. He also pointed out that, contrary to what had been said, the obstacles he had encountered during his mission to the United States had not been the work of the Government, which had indeed distanced itself verbally from them.

46. Having said that, he once again stressed the fact that the position of Special Rapporteur required absolute independence from State and non-State bodies and also from all infrastructure that might hamper the fulfilment of his mandate. The Special Rapporteur must also be very disciplined and show complete objectivity and impartiality, being accountable to no one but the Commission. He also suggested that the Special Rapporteur on Religious Intolerance should now be called the "Special Rapporteur on the Freedom of Religion and Belief". Those terms were used in his mandate and that would facilitate the dialogue with many of those who found the term "intolerance" problematic.

47. With regard to the enhancement of his working methods, he would like to see a legal and factual database established on the freedom of religion in all States and would welcome the opportunity to consider substantive questions such as the status of women from the point of view of religion, proselytism and poverty, religious extremism and the issue of sects. Lastly, the quality of the action taken to combat religious intolerance should be improved, and that would require a particular effort in terms of prevention and education. Those suggestions were connected and their implementation would enable the Special Rapporteur to discharge his mandate more effectively.

48. Mr. JOINET (Vice-Chairman of the Working Group on Arbitrary Detention), responding to some of the questions he had been asked during his many informal meetings with government or NGO representatives, said that the Working Group considered the situation of ordinary prisoners even though it was not an explicit element of its mandate because there were few NGOs whose rules provided for the protection of the human rights of ordinary prisoners and because the role of the International Committee of the Red Cross (ICRC), which did deal with them, was an essentially humanitarian one. ICRC did not give an opinion on the lawfulness of detention. That was the task of the Working Group, which took a strictly legal approach, not a political one. To reply to a related question, the Working Group and ICRC did not duplicate each other's work. They actually complemented each other, one of them dealing with the legal aspect of the problem and the other, the humanitarian aspect.

49. In order to discharge its mandate with regard to custody of immigrants and asylum-seekers, the Working Group had established a number of specific criteria that would serve as reference points for future missions. He announced in that respect that the visit to Bahrain had been agreed in principle; the date was the only remaining problem, because a period of national mourning had been decreed, but every effort would be made to arrange the visit before August. The charge of selectivity that had been made against the Working Group was no longer valid, since it had visited countries belonging to four of the five regional groups. Africa still remained to be visited. He therefore called upon the countries of the African Group to issue an invitation to the Working Group and thus help it to fulfil its mandate with regard to equitable geographical distribution.

50. Clearly the most difficult task for a State was to implement the recommendations made by the Working Group after a visit. The Working Group therefore attached more importance to following up visits than to following up opinions.

51. Lastly, he thanked all those who had cooperated so effectively with the Group. He emphasized that cooperation did not necessarily mean always being in agreement and that in the

area of human rights vague consensuses sometimes obscured the real issues. What had occurred between Cuba and the Working Group, by contrast, was a genuine debate of substance, at the level of general legal theory. Although a degree of understanding had been reached, points remained to be discussed and the Working Group would persevere with the debate in good faith.

Statements in exercise of the right of reply

52. Mr. SHUKER (Observer for Iraq) said that the Al-Khoei Foundation, in its statement to the Commission, had merely reflected the position of the enemies of the Iraqi regime, and in particular that of the United States, with regard to the freedom of religion of Shiites in Iraq. Contrary to what had been said, the Iraqi Government had always tried to ensure respect for all religious faiths and the freedom of worship in accordance with the Constitution, without discrimination of any kind. The places of worship of all religions throughout the country were specially protected by the Government. Quite recently, 128 million dinars had been allocated to Najaf province, one of the holy places of the Shiite sect, for the conservation of religious monuments.

53. Moreover, the assassins of Ayatollah al-Sadr in Najaf had been arrested and had confessed that they had been recruited by foreign agents to kill him because in his sermons he had frequently denounced aggression by the United States and the United Kingdom against Iraq and the economic embargo against the Iraqi people, and because at the 1998 session of the Sub-Commission, he had been accused by the leader of a religious organization opposed to the Government of being an agent of the Iraqi regime.

54. Mr. BIABAROH (Congo) pointed out to the International Federation of Action of Christians for the Abolition of Torture (IFACAT), which had made comments on the situation in the Congo, that the process of ratification by the Congo of the Convention against Torture was well under way and would probably be completed during the parliamentary session of 20 to 24 April 1999. Recent military actions had been merely an extension of the civil war that had engulfed the Congo between June and October 1997, and had been provoked by Mr. Pascal Lissouba, who had refused to organize the presidential and parliamentary elections scheduled for July 1997.

55. All the Government's efforts to restore peace and establish democracy had been halted since December 1998 by terrorist action by armed rebel groups, which had led to major population displacements, particularly after an attack on urban areas to the south of Brazzaville. The Government could not allow the situation to continue, and had established a humanitarian corridor in order to evacuate the civilian population from combat areas and later allow displaced persons who had been used as human shields by the armed groups to return to their homes. The delegation of the Congo wished to protest at the deliberate continuation of the confusion between displaced and deceased persons. It also expressed surprise at the outdated nature of the information put out by a biased NGO, purely on the basis of false allegations made by criminals on the run. The Congo was an open country and invited all reliable NGOs to visit it in order to establish the truth on the ground.

56. Mr. ABDEL MONEIM (Observer for Egypt) said that he rejected the baseless allegations made against Egypt by two NGOs, Freedom House and the International Commission of Jurists.

Egypt had always advocated religious tolerance, in accordance with its Constitution, and fulfilled its international obligations in that regard. The various religious communities lived in harmony and there was no anti-Copt policy. The recent terrorist acts had not targeted only Copts but also government officials, regardless of their religion. More of the victims had been Muslims than Christians. In addition, the Egyptian Government had taken steps to ensure the renovation of churches. The charges against Egypt amounted to a disinformation campaign intended to undermine the progress it had made and tarnish its image.

57. With regard to the disbanding of the Lawyers' Union, the Union had only itself to blame in view of the corruption charges against it. The matter was in the hands of the courts, which would act in complete independence, in accordance with the principle of the separation of powers enshrined in the Constitution.

58. Mr. KABUSHEMEYE-NTAMWANA (Observer for Burundi) said that inquiries were being made into the allegations of torture mentioned in the report of the Special Rapporteur on Torture (E/CN.4/1999/61). The work had unfortunately been seriously delayed by the lack of resources due to the embargo imposed on Burundi for nearly three years.

59. With regard to forced or involuntary disappearances, the majority of cases mentioned in the report of the Working Group (E/CN.4/1999/62) went back to 1991; since then the 1993 crisis had occurred, with consequences that were still being felt, and Burundi had had five different Governments. Means of combating impunity were being discussed in Arusha, but it was difficult to resolve cases as old as that.

60. Lastly, with reference to the allegations of unfair trials made by the Special Rapporteur on extrajudicial, summary or arbitrary executions in her report (E/CN.4/1999/39/Add.1), his delegation wished to state that it had been the case for more than a year that any detainee who so desired could be assisted by a lawyer, from either Burundi or abroad, if necessary with the help of the Burundi branch of the Office of the High Commissioner for Human Rights, and that the lawyers called upon to conduct cases in the Burundian courts had acknowledged that the trials had been fairly conducted.

61. Mr. GAZIOGLU (Observer for Turkey) said he was not surprised that the Greek Cypriot representative had not mentioned that the question of missing persons in Cyprus did not date back to 1974, but to 1963. It was a documented historical fact, noted in many reports of the then Secretary-General, that hundreds of Turkish Cypriots had gone missing during the Greek Cypriot armed attacks between 1963 and 1974.

62. Most of the Greek Cypriots listed as missing had been killed by the Greeks themselves during the coup d'état of July 1974, but the Greek Cypriot administrations had managed to conceal the truth from Greek Cypriots and the international community in order to exploit the humanitarian issue for propaganda purposes. The Greek Cypriot authorities should notify the families that those "missing" had in fact been dead for years, as they had admitted in 1995.

63. The Greek Cypriot allegations of desecration of the cultural heritage had been refuted by foreign observers including UNESCO and World Council of Churches experts, and in a report

published in July 1989 by the Committee of Culture and Education of the Council of Europe. It was in fact Greek Cypriots who were always trying to eradicate any trace of the Turkish Muslim heritage of Cyprus and had destroyed many mosques between 1963 and 1974.

64. Mr. ALFONSO-MARTINEZ (Cuba) noted, for the benefit of the representative of the United States, who had criticized Cuba's system of government in his statement to the Commission, that the Cuban people considered their system much more democratic and more representative than that of the United States, where it was market democracy that held sway. In Cuba it was not necessary to be a millionaire in order to be elected.

65. There was no place for persons funded by other States - including the United States - in action in defence of human rights. Of the billion dollars the United States representative stated was spent by his country to promote democracy around the world, at least US$ 2 million was spent on funding the political activities of individuals who wished to restore in Cuba the shameful system under which only a tiny minority of people had enjoyed human rights.

66. If one was to believe the United States representative, democracy was the only sure road to prosperity. In fact, according to all the figures from the World Bank, the International Monetary Fund (IMF) and all NGOs concerned with the issue, the rise of democracy had gone hand in hand with the gradual pauperization of many people throughout the world during the last 15 years. There were more poor people in the world today than during the 1970s.

67. Mr. ALEMU (Observer for Ethiopia) deplored the fact that his country should once again have been the subject of vilification by a representative of the African Association of Education for Development. The representative in question had played a prominent role in the previous Government of Ethiopia as an adviser to the internal security apparatus of the military dictatorship, whose members now stood accused of systematic and gross violations of human rights. That representative therefore had no moral standing before the Commission on Human Rights, and his statement did not deserve a response.

68. Mr. ANOSHKO (Observer for Belarus) expressed surprise that a responsible organization like the Lawyers Committee for Human Rights should use groundless information on alleged obstacles to the activities of lawyers in Belarus without verifying it. The lawyer in question had never been expelled from the bar and continued to take part in consultative activities under the auspices of the Council of Europe and OSCE, on mechanisms for the protection of human rights in Belarus.

69. Mr. EFTYCHIOU (Observer for Cyprus), referring to the allegations of the representative of Turkey on the issue of missing persons in Cyprus, recalled that the Turkish Cypriot leader Mr. Denktash had stated in a television interview that Greek Cypriot prisoners of war had been handed over by the Turkish troops to the Turkish Cypriot paramilitary forces and executed. He also pointed out that, in a report adopted in October 1983, the European Commission of Human Rights had found that Greek Cypriot nationals who were still missing had been unlawfully deprived of their liberty in Turkish prisons in 1974 and had concluded, by 16 votes to 1, that Turkey had violated article 5 of the Convention by failing to account for

the fate of those persons. The drama of the relatives of the missing persons still continued and the efforts of the entire international community would be necessary to solve the humanitarian issue.

70. With regard to the alleged destruction of Cyprus's religious and cultural heritage, he recalled that, following the 1974 Turkish invasion, 100 of the 520 Greek Orthodox and Armenian churches had been pillaged, 68 had been converted to mosques and 14 had been used by the Turkish military. Most of the Greek Orthodox and Armenian cemeteries in the occupied area had been destroyed and an estimated 15,000 icons had been stolen from churches since the Turkish invasion. Those were the facts of the matter.

71. The CHAIRPERSON declared the general debate on agenda item 11 closed.

INTEGRATION OF THE HUMAN RIGHTS OF WOMEN AND THE GENDER PERSPECTIVE

(a) VIOLENCE AGAINST WOMEN

(agenda item 12) (E/CN.4/1999/66, 67 and Add.1, 68 and Add.1-4; E/CN.4/1999/NGO/8, 27, 41, 44, 71; A/53/354, 409; E/CN.6/1999/2)

72. Ms. FLOR (Chairperson of the Commission on the Status of Women) said she welcomed the Commission's decision to establish a new agenda item on the integration of the human rights of women and the gender perspective. It highlighted the fact that people around the world upheld the principles proclaimed at the World Conference on Human Rights and the fourth World Conference on Women, namely that women's rights were human rights.

73. Agenda item 12 provided the perfect framework in which to promote the integration of women's rights into human rights activities. Although it was a specific agenda item, it should be recalled that all agenda items were crucial for the full enjoyment of all human rights by women. Although violations of economic, social and cultural rights affected women in particular, for example, their fate went all too often unmentioned in reports. It should therefore be the duty of all special rapporteurs, OHCHR human rights observation missions and the Organization as a whole to give the gender dimension of human rights the attention it deserved.

74. On 12 March 1999, during its forty-third session, the Commission on the Status of Women had adopted the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women. The adoption of the new instrument represented, after the adoption of the Convention itself 20 years previously, the second major breakthrough for women's rights organizations and, of course, for women themselves and all men who believed in gender equality and justice. The Protocol established a procedure for individual complaints of violations of the Convention and went further than other protocols of the same type by prohibiting reservations (art. 17). That was significant, because the Convention itself suffered from a large number of reservations. Providing the possibility for entering reservations to the Optional Protocol would have weakened the Convention instead of strengthening its implementation. Apart from such legal considerations, the Protocol gave women the right to petition the United Nations when they believed they were being discriminated against or their

rights were being violated. The Committee on the Elimination of Discrimination against Women (CEDAW) would give them a hearing and defend their rights. She appealed to all States that had not yet done so to ratify the Convention in order to achieve the goal of universal ratification by the year 2000. She also urged States Parties to the Convention to ratify the Optional Protocol as soon as possible in order to allow it to enter into force before the end of the millennium and before the special session of the General Assembly in June 2000.

75. At its forty-third session, the Commission on the Status of Women had also discussed the question of health and adopted agreed conclusions on women and health and a resolution on women, the girl-child and HIV/AIDS. By that resolution, the Commission had wished to reaffirm that women's right to enjoy the best state of physical and mental health possible was an integral part of their human rights; there were clear links between discrimination, low status and violence against women in many countries and their fragile state of health. Commission members had also considered a resolution on the situation in Afghanistan. The fate of women and girls there remained a major concern and discrimination against them continued despite calls from the international community. The Commission on the Status of Women had again urged all the parties, in particular the Taliban, to put an end to violations of the rights of women and girls. It had also appealed to all States to ensure that all humanitarian assistance was based on the principle of non-discrimination and stressed that the Special Rapporteur on the situation of human rights in Afghanistan should continue to give special attention to the human rights of women and girls and incorporate a gender perspective in his work.

76. Lastly, she underlined that the Commission on the Status of Women and the Commission on Human Rights had but one goal: to ensure that all human beings, women and men, could fully enjoy all their rights, without discrimination.

77. Ms. KING (Special Adviser on Gender Issues and the Advancement of Women) said that, since the World Conference on Human Rights in 1993, the Commission had paid renewed attention to the human rights of women and to the gender dimensions of all human rights activities and programmes. The commemoration in 1998 of the fiftieth anniversary of the Universal Declaration of Human Rights, which had coincided with the five-year review of the Vienna Declaration and Programme of Action, had also made it possible to intensify the interaction between the mechanisms that focused on women's issues and those concerned with human rights issues in general.

78. A sharpened focus on the forms of human rights violations suffered by women and on the causes of those violations had revealed that equality between men and women did not result automatically from the overall protection and promotion of human rights. Women's human rights should therefore be integrated into all activities for the protection and promotion of human rights so as to achieve the goals set at Vienna and Beijing. The Commission must strive to integrate the gender perspective into all the items on its agenda so that the equal enjoyment by women of all their human rights truly became an indivisible part of any human rights implementation strategy, nationally, regionally and internationally. In that regard, the Commission must ensure that women's human rights were not considered only under a specific agenda item. It had already taken steps to do so, by requesting its mechanisms to regularly include in their reports data disaggregated by sex and information on violations primarily directed against women.

79. In May 1999, the Division for the Advancement of Women (DAW) and OHCHR would be organizing jointly with UNIFEM the second workshop on the integration of a gender perspective into United Nations human rights activities and programmes. The workshop would provide an opportunity to assess progress made in implementing the recommendations of the 1995 workshop and to identify for the treaty bodies, special representatives and special rapporteurs areas in which gender issues should be given greater attention.

80. The adoption of the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women represented a genuine and historic step forward and, once the Protocol had been adopted by the General Assembly later in the year, it should quickly receive the 10 ratifications required for it to enter into force. The special session of the General Assembly to be held in June 2000 to review progress made in implementation of the Beijing Declaration and Platform for Action would also be an opportunity for Governments to demonstrate their commitment to women's human rights. In addition, she invited the Commission, as part of its efforts to achieve universal ratification of all human rights instruments, to focus especially on the Convention on the Elimination of All Forms of Discrimination against Women, in the context of the twentieth anniversary of the Committee on the Elimination of Discrimination against Women. Lastly, she drew the Commission's attention to a workshop organized in October 1998 by the Inter-Agency Committee on Women and Gender Equality, which she chaired, on the realization of human rights from the perspective of gender equality. The usefulness of that approach in areas such as humanitarian assistance and the provision of food and health services had been discussed, and specific recommendations for action developed. The workshop had been a vivid example of United Nations systemwide cooperation on women and gender issues, and she called on the Commission, which had a mandate to pursue the realization of women's human rights in any part of the world, to ensure effective deployment of the network of mechanisms and bodies established for the purpose.

81. Mr. YAMAZAKI (Japan) said that, as part of its implementation of the Beijing Declaration and Platform for Action, the Japanese Government had, in 1996, prepared a national programme on gender equality for the year 2000. The Office for Gender Equality, which was part of the Prime Minister's Office, released annual reports on the status of women and, at the local level, all 47 prefectures of the country and 12 pilot cities had also drawn up action plans to promote gender equality.

82. At the international level, it was essential to support the efforts of developing countries towards achieving full enjoyment of economic, social and cultural rights by women and girls. At the fourth World Conference on Women, Japan had launched an initiative aimed at ensuring that development assistance efforts improved women's status in society, particularly in the areas of education, health and participation in economic and social activities. Japan was working to address girls' right to education and, in cooperation with recipient countries and other donors, and international organizations such as the United Nations Development Programme (UNDP), supported efforts to close the gender gap in education by 2005 and to provide universal education for all 6 to 11-year-olds by 2010. Japan was also participating in programmes aimed at improving women's access to appropriate health care and a full range of family planning programmes, and had launched, in 1994, an initiative on population and AIDS, with a total commitment of US$ 3 billion for 1994-2000, as assistance in that area for a number of developing countries.

83. Japan was aware of the importance of eliminating violence against women in public and private life and, as the largest donor to UNIFEM's Trust Fund in Support of Actions to Eliminate Violence against Women, invited other countries to contribute to the Fund. On the occasion of the fiftieth anniversary of the Geneva Conventions, the international community should pay particular attention to the prevention and elimination of violations of the human rights of women in situations of armed conflict, victim assistance and the punishment of perpetrators.

84. In all such efforts to promote and protect the human rights of women and girls, building partnerships with other countries as well as with civil society was of cardinal importance. The Liaison Conference for the Promotion of Gender Equality had been established in Japan in 1996 in order to promote cooperation and exchanges of views among a wide range of organizations and people, with a view to creating a gender-equal society. Lastly, he said that, in December 1998, a National Committee for Women 2000 had been established in order to facilitate the exchange of information and cooperation with civil society in preparation for the General Assembly's special session on women to be held in 2000. In addition, every year since 1996, Japan had hosted a meeting of senior officials of national machineries for the advancement of women in East and South-East Asian countries.

85. Ms. ADERHOLD (Germany), speaking on behalf of the European Union and the associated central and eastern European countries and Cyprus, said that, despite the progress made since the adoption of the Convention on the Elimination of All Forms of Discrimination against Women, women in many societies continued to suffer gender-based discrimination and violence and inferior status to men. Gender inequality remained one of the greatest barriers to eradicating poverty. The European Union therefore called upon all members of the international community and all individual men and women to embark on a common endeavour to achieve gender equality. It also called upon the treaty bodies to include women's rights in all their activities.

86. Violence against women was a dauntingly persistent and widespread problem. The European Union therefore urged all States to cooperate with the Special Rapporteur on violence against women, Ms. Radhika Coomaraswamy, by responding favourably to her requests for visits. The European Union also welcomed the inclusion of crimes against women, including rape, forced pregnancy and sexual slavery, in the Statute of the International Criminal Court, and hoped that the Court would conduct its proceedings in a gender-sensitive manner. The European Union had chosen 1999 to launch a campaign to raise public awareness of the problem of violence against women, particularly domestic violence. It was also necessary to eliminate traditional practices affecting the health of women and girls, such as genital mutilation. Besides legal sanctions, education had a key role to play in that regard. Lastly, concerted international action was indispensable in the fight against trafficking in women and children and the European Union welcomed the ongoing work on a convention against transnational organized crime, and in particular the draft protocol to that convention aimed at preventing and punishing trafficking in women and children. Everything must be done to enable women to enjoy all their economic, social and cultural rights. Equal access to education, in particular, was a means of empowering women.

87. With regard to intergovernmental mechanisms established by the United Nations, the European Union hoped that the Commission on Human Rights and the Commission on the

Status of Women, which played a key role in action for the advancement of women, would continue to develop practical ways to increase cooperation. It was also essential for the Commission on Human Rights to mainstream the gender perspective in all areas of its work. The European Union hoped that OHCHR would continue to work closely with DAW, in New York.

88. Ms. SIMINOWSKI (Canada) said that the inclusion of a new item on the Commission's agenda confirmed its commitment to women's human rights. The Commission should explore how it could encourage more systematic integration of a gender perspective throughout its work.

89. Canada was pleased at the inclusion of, inter alia, sexual and gender-related violence in the definition of crimes in the Statute of the International Criminal Court, adopted in Rome in July 1998, and of provisions ensuring the protection of victims and witnesses and the assurance of relevant expertise in the composition of the Court. It hoped, too, that the General Assembly would adopt the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women, which was a landmark instrument for women's rights.

90. The work of the Special Rapporteur on violence against women had proved essential in ensuring the recognition of violence against women as a human rights violation and in mobilizing action to eliminate what had become an intractable problem. With regard to the latest report (E/CN.4/1999/68/Add.4), her delegation welcomed the particular attention paid by the Special Rapporteur to violence against women in the family and the fact that she highlighted the need for States to exercise due diligence to prevent, prosecute and punish violence against women. The Canadian Government had responded to the Special Rapporteur's requests for input and submitted a comprehensive report on its programmes and policies aimed at eliminating violence against women. The delegation acknowledged the Special Rapporteur's detailed analysis of the close linkages between violence against women and women's reproductive rights and welcomed her participation in the twentieth session of the Committee on the Elimination of Discrimination against Women. Other special rapporteurs could also make a valuable contribution to the Committee's work.

91. Her delegation was encouraged by the increasing collaboration between the Commission on Human Rights and DAW, which had drawn up a joint work plan. It urged all the Commission's mechanisms to participate in the five-year review of the Beijing Declaration and Platform for Action. Governments had an essential role to play in trying to reverse the under-representation of women in United Nations activities and promote better gender balance. States could, for example, include more women in their delegations and identify more women candidates for election or appointment to the various United Nations posts.

92. Ms. DITLHABI-OLIPHANT (Botswana) said that Botswana had acceded to various international instruments promoting women's rights and their integration in development. At the national level, the Government had introduced a comprehensive programme stating the objectives and strategies that Botswana aspired to follow in the next 20 years. Six areas of critical concern had been outlined: the elimination of poverty among women; the empowerment of women and their representation in policy-making institutions, including Parliament; the education and training of women in all sectors; women and health; the education and protection of the girl-child; and the elimination of violence against women.

93. The Government had also conducted a review of all the laws that had an adverse effect on the status of women. Following a national consultative process, it had adopted a national policy on women and development to facilitate the promotion of gender equality and the empowerment of women in all spheres of life. The Citizenship Act had been amended to enable children to acquire Botswana citizenship at birth if one of their parents was a Botswana citizen. Property legislation had also been revised to allow women to own property in their own right. In addition, the Penal Code had been amended in order to improve the protection of victims of rape and to increase the penalties in the event that the rapist knew he was HIV-positive.

94. Domestic violence and the rising levels of rape were a serious concern for the Botswana Government and civil society in general. Women's rights organizations had taken steps to educate women on that insidious form of violence and had set up a special task force to look into police responses to cases of domestic violence and make recommendations.

95. Botswana was also working to promote women's rights at the subregional level within the Southern African Development Community (SADC). In an addendum to the SADC Declaration, signed on 14 September 1998, the members of the Community recognized that violence against women and children, particularly girls, was a violation of human rights; identified the various forms of violence against women and children in the subregion; expressed concern that violence against women and children was continuing to increase; and recognized that existing measures were not adequate. She hoped that OHCHR would support SADC in its action for the advancement of women.

96. Ms. VELASQUEZ (El Salvador) said that her country had followed up the recommendations made in the Beijing Declaration and Platform for Action by establishing an Institute for the Advancement of Women and preparing and implementing a national policy for the advancement of women. El Salvador also recognized the value of women's participation in the economy, particularly in agriculture, micro-enterprises and the service and communications industry, and the role they thereby played in combating poverty and establishing sustainable human development.

97. Her country welcomed the adoption of the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women, which would make it possible to strengthen the universal legal mechanisms to protect and promote women's human rights. El Salvador shared the international community's concern at the increase in crimes related to the trafficking of women and girls for the purposes of prostitution and other kinds of sex trade, but advocated humanitarian treatment for the victims, in accordance with the standards of human rights protection. Violence of that kind against women should be dealt with jointly by States and civil society, in view of its economic, social and cultural aspects and the fact that it was linked with various forms of organized crime, which made it more difficult to find solutions to the problem.

98. The Government of El Salvador also attached special importance to combating one particular type of violence against women - violence within the family. Parliament had enacted legislation against domestic violence and established mechanisms for its prevention and punishment. The National Secretariat of Family Affairs had set up a telephone hotline for victims, staffed by professionals who were responsible for helping victims, showing them the

procedures to follow in order to bring charges, and initiating a rehabilitation process. National awareness-raising programmes had been planned, in the form of media campaigns and as part of law and social science courses in public and private universities.

99. Ms. DE ARMAS GARCIA (Cuba) said that women were the first victims of the current process of neoliberal globalization and structural adjustment programmes. They accounted for 70 per cent of the approximately 2 billion poor people across the planet, and thus personified the phenomenon of the "feminization of poverty". That was borne out by the fact that women's share in the economically active population had increased very little during the last 20 years, while the female unemployment rate was between 10 and 40 per cent higher than the male rate. It was women who had the least secure jobs, and women who made up two thirds of the world's 1 billion illiterates. The inequality between men and women was as striking in the area of access to health care. Each year, nearly 500,000 women died as a result of pregnancy, delivery or abortion and 99 per cent of cases of maternal mortality occurred in developing countries. The international economic and financial crisis exacerbated women's situation further.

100. It was regrettable, therefore, that the reports submitted to the Commission took so little account of that reality and suggested no means of rectifying such serious problems. To speak of progress in the integration of the human rights of women and the gender perspective to all the excluded women who struggled daily just to survive was, at best, incomprehensible, not to say ironic. Access to resources at both the national and the international levels remained essential to the achievement of equality, development and peace. The vast sums spent on the arms race should be invested in activities to promote progress, well-being and development.

101. Cuba, which had benefited from 40 years of efforts at social transformation, was living proof that a different way of life that focused on human beings was possible, as long as the political will existed. In Cuba, 66.6 per cent of middle and higher level technicians and professionals were women, as were 27.6 per cent of members of Parliament, 60 per cent of students and 41.7 per cent of science research workers. The maternal mortality rate was 2.2 per 10,000 births and infant mortality had gone down to 7.1 per 1,000 live births at the beginning of the year, a record for a developing country. Those results had been achieved despite the United States' imposition of an economic, financial and trade blockade on Cuba, which had had a dramatic impact on women's health owing to the lack of medicines, and particularly the health of pregnant women. The Cuban Government, as part of its efforts to strengthen cooperation with human rights protection mechanisms, had invited the Special Rapporteur on violence against women to visit Cuba midway through the year and hoped that her visit would take place and yield satisfactory results.

The meeting rose at 1 p.m.